

Isaac, Samuel Gordon, and Ralph Jones *People of London Town, Maryland¹*

On December 23, 1738, the home of eminent London Town tavern keeper Stephen West was burglarized. The culprits were three criminals whose identities crossed the boundaries of the lowest classes of society. Ralph Jones, a tailor by trade, was a white convict servant and a “notorious offender.” Isaac was enslaved by a local named James Mouatt. Despite his crime, Isaac was said to bear “a good character.”² And finally, the free white man Samuel Gordon, of whom almost nothing is known.

According to court documents, the three partners in crime “feloniously and Burglarily Broke and entered & a Considerable sum of Money and divers Goods and Chattels...stole and carried away.”³ The co-conspirators stole from both West and a woman by the name of Ann Peed, who was possibly renting a room in West’s “Mansion House.”⁴

It did not take long for the law to catch up with the diverse accomplices. Within a week they were arrested. Samuel Gordon made a bargain with the prosecution to escape punishment by testifying against Isaac and Jones. Considering the case carefully, the court delivered a decision of guilty for both remaining suspects, and sentenced them to execution by hanging.

Isaac escaped the noose. The court considered his character and the fact that this was his first crime, and so pardoned him with a stern warning. Jones saw no such mercy. His death warrant was issued on February 16, 1739, and he met his end on Friday, February 23.⁵

In this case, we see the stratification of the bottom rung of London Town’s social ladder. An enslaved man, a white convict servant, and a free white man all committed the same crime. Their punishments were tailored to their station in life.

As a free white man, Samuel Gordon was the most likely to escape punishment, and ensured his freedom by testifying against the other two. In Maryland law, as in laws throughout the colonies, a free white man’s voice was unrestricted by law. Convicts could only testify against other convicts.⁶ The enslaved could not testify against whites.⁷

The court stated their reasons for not executing Isaac. As C. Ashley Ellefson demonstrated in *Seven Hangmen of Maryland*, after conviction and a sentence of death, enslaved

¹ As the research into colonial London Town’s inhabitants is an ongoing process, the caveat is offered that additional information may be found at any time and that a correction of information might also occur at any time.

² Samuel Ogle, *Proceedings of the Council of Maryland, 1738/9*, Archives of Maryland, Edited by William Hand Browne, (Baltimore: Maryland Historical Society, 1908), page 155

³ Samuel Ogle, *Governor and Council Commission Record, 1726-1794*, January 1, 1739, Maryland State Archives, Unit 2, m3164-0396, page 68.

⁴ Ibid.

⁵ C. Ashley Ellefson, *Seven Hangmen of Colonial Maryland*, Cortland, NY: 2009, Appendix 1: “Capital Crimes: Hanged, Pardoned, and Reprieved, All Classes by Name, 1726-1775,” via Archives of Maryland Online <<http://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000819/html/index.html>>.

⁶ A. Roger Ekirch, “Exiles in the Promised Land: Convict Labor in the Eighteenth-Century Chesapeake,” *Maryland Historical Magazine*, Volume 82, Summer 1987, page 107, via Maryland State Archives, <http://msa.maryland.gov/megafile/msa/speccol/sc5800/sc5881/000001/000000/000327/pdf/msa_sc_5881_1_327.pdf>.

⁷ Maryland State Archives, “A Supplementary Act to the Act relating to Servants and Slaves,” *Proceedings and Acts of the General Assembly, 1717-April, 1720*, Archives of Maryland Online, volume 33, page 111, accessed November 10, 2017, <<http://aomol.msa.maryland.gov/000001/000033/html/am33--111.html>>.

people were pardoned or reprieved roughly 44% of the time. Convict servants, by comparison, were pardoned or reprieved 34% of the time.⁸ When sentenced in Maryland, convict servants were, by definition, repeat offenders who had already been convicted of a felony in a court of law. Isaac, however, had his enslaver to testify to his good character, which also spared James Mouatt the loss of labor and future value if he chose to sell the enslaved man. Colonial law provided for financial compensation to enslavers whose human property was executed, but only up to “Three Fourths of their Value.”⁹

As a convict servant, Ralph Jones not only had his previous conviction against him, but his value as a laborer was diminished every day that he served. Convict servants usually served only seven years, though sometimes fourteen. Compared to the decades of free labor that could be extracted from the enslaved Isaac, Ralph Jones was more disposable from a purely economic perspective.

⁸ C. Ashley Ellefson, *Seven Hangmen of Colonial Maryland*, Cortland, NY: 2009, Appendix 9: “Capital Crimes: Hanged, 1 Pardoned, and Reprieve, Classes Compared, 1726-1775,” via Archives of Maryland Online, accessed November 10, 2017, <<http://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000819/html/index.html>>.

⁹ Maryland State Archives, “A Supplementary Act to the Act relating to Servants and Slaves,” *Proceedings and Acts of the General Assembly, 1717-April, 1720*, Archives of Maryland Online, volume 33, page 112, accessed November 10, 2017, <<http://aomol.msa.maryland.gov/000001/000033/html/am33--111.html>>.